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*Bob*

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Marc E. Nicholson	Amembassy BRASILIA	

FORM JF-29 (Formerly Forms DS-10, AID-5-50 & IA-68)  
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Declassified  
Authority: 43265 By:  
Amanda Weimer Date:  
04-13-2016

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U.S. Embassy  
Activities in Support  
of  
Human Rights in Brazil  
1974-1976

Prepared by John Hugh Crimmins  
1974-1976 FROM GENERAL DECLASSIFICATION  
SCHEDULE OF EXECUTIVE  
ORDER 11652  
EXEMPTION CATEGORY: XGDS-1,2,4

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Introduction and Summary

Embassy activities in the human rights field have been diverse and wide ranging. They are best divided into six categories, each represented by a separate section of this report:

I. Presentation of the U.S. position on human rights in contacts with Brazilian authorities, on either a formal or informal basis.

II. Representations and inquiries to Brazilian authorities regarding specific human rights cases.

III. Public statements by Embassy personnel in support of human rights.

IV. Embassy liaison with private organizations and individuals active in the human rights area.

V. Provision of information on human rights cases to inquirers, both official and private.

VI. U.S. information/exchange programs in support of human rights.

In determining those Embassy actions for inclusion in this report, we have placed reliance on a conservative, core definition of human rights, reflecting the intent of Congress which underlies the Harkin Amendment and Section 502 of the Foreign Assistance Act. This definition recognizes the right of the individual to be free from arbitrary arrest and prolonged detention without trial, from biased judicial proceedings, and from physical mistreatment while in custody. For purposes of Sections I-V of the report, files have been reviewed back to January 1974. For purposes of Section VI, files have been reviewed back to January 1975. It should be noted that, particularly in regard to contacts with Brazilian officials, existing records are insufficient to permit a complete listing of Embassy activities.

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The following paragraphs summarize very briefly the nature of the information in each section. On a number of occasions, both in formal and informal contacts, Embassy personnel, including the Ambassador, have conveyed in general terms U.S. concern for human rights to high officials of the Foreign Ministry, the Armed Forces, the federal and state police, and other government agencies. At times these approaches have also included specific inquiries on behalf of non-U.S. citizens believed detained by the Brazilian security forces. These cases, though sometimes bearing consular overtones as a result of a family relationship between the object of inquiry and an American citizen, have nonetheless significantly or predominantly reflected a general U.S. concern for human rights. The principal cases are those of Paulo Stuart Wright, Stuart Angel Jones, Ana Rosa Kucinski Silva and Wilson Silva, and Rolf Gunter. In addition, vigorous consular protective intervention on behalf of Frederick Morris, an American citizen arrested and tortured for alleged subversion, received wide and controversial local publicity. In its own way the case demonstrated the seriousness and practical application of the U.S. commitment to human rights, particularly when torture is involved.

Private contacts with Brazilian officials have been buttressed by public statements on the part of Embassy personnel, principally two major addresses by the Ambassador on the subject of individual rights and immunities as the cornerstone of American political ideals and institutions.

The Embassy and its constituent posts have maintained liaison with

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most of the principal Brazilian organizations active in defense of human rights, as well as with numerous individual leaders in this field.

These contacts, aside from their value in producing information on the human rights situation and specific cases in Brazil, have conveyed a reassuring sense of U.S. interest in and support for the efforts of these groups, and have very likely been noted by the Brazilian Government.

The Embassy and constituent posts have devoted extensive efforts to the gathering of information on the general human rights situation as well as the cases of specific individuals, and have attempted to be as helpful as possible in furnishing information on human rights cases to inquirers, principally members of the U.S. Congress and of Amnesty International.

In its public affairs program, USIS has made wide distribution of several major speeches by U.S. Government officials on the subject of human rights, and -- to the extent possible in a country under limited censorship -- has placed U.S. human rights statements as well as articles from the U.S. press in Brazilian newspapers. USIS on several occasions has arranged tours in Brazil by American speakers on topics related directly or indirectly to concepts of human rights and due legal process. Several Brazilians prominent in the human rights field have been sent to the United States on International Visitor Grants.

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I. Approaches to Brazilian Authorities on General Subject of Human Rights

In formal and informal contacts with Brazilian authorities, the Ambassador and senior Embassy officers have stated the U.S. position on human rights and have attempted to convey the depth of U.S. interest in the issue. A number of those approaches--chiefly those made by Embassy political officers--are a matter of detailed record, and are listed below chronologically. This section also includes a description of DAO, AID, and Legal Attaché contacts on human rights, and a list of persons with whom the newly arrived U.S. Consul in Recife discussed human rights during his calls on local officials. (Other consular officers have had similar discussions with Brazilian officials in their respective districts over the past several years, but there are no particulars in the files.)

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September 21, 1973: Embassy Political Counselor, accompanied by DEA representative, calls on Central Coordinator (Deputy Director) of Brazilian Federal Police (DPF), to recite incident of DPF interrogation of non-U.S. citizen by torture in presence of DEA representative, and to express Embassy's grave concern with such an occurrence. Official appears genuinely outraged, expresses gratitude for information, indicates he will make certain that officer involved is removed and that any such practices are ended.

(For further details see Section II, Gunter case.) (~~CONFIDENTIAL~~)

April 25, 1974: Ambassador Crimmins discusses the general human rights question with the Brazilian Ambassador to Washington, Araujo Castro (protect), who had returned to Brasilia in anticipation of a planned visit by Secretary Kissinger. Araujo Castro shows himself well aware of the importance of the human rights question to U.S. and Congressional public opinion, and of the problems it created for government-to-government relations. He states that he has made a considerable effort to get across to the GOB the depth of American interest in human rights. In this context our Ambassador mentioned U.S. interest in the cases of Ana Rosa Kucinski Silva and Paulo Stuart Wright. (See Section II)

(Brasilia 7073, 8/14/74) (~~CONFIDENTIAL~~ XGDS-1)

May 28, 1974: During a meeting with Acting Foreign Minister Guerreiro arranged primarily to discuss our continuing interest in the Wright and Kucinski cases (See Section II) and to elicit information, the Ambassador informed Guerreiro about the further human rights

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provisions inserted by Congress in foreign assistance legislation.

(Brasilia 7073, 8/14/74) (~~CONFIDENTIAL~~)

July 15, 1974: Marvin Weissman, USAID Director Brazil, meets with Aderbal Costa, Secretary of SUBIN. Weissman summarizes status of current Congressional hearings on AID legislation; notes that 1973 FAA contained a provision (section 32) on political prisoners; points out the considerable interest being shown by the U.S. Congress in this regard during ongoing hearings; and indicates the section's possible relevance to worldwide levels of appropriations for assistance programs. Weissman explains that Embassy has been asked to insure that all recipient countries of economic and/or military aid be made aware of section 32 and of our overall concern with the human rights issue. Costa is given a copy of section 32. He replies that he understands the continuing U.S. concern, but opines that interpretations of section 32 "could most certainly vary." Mr. Weissman refers to the criteria of the UN Declaration on Human Rights, as guidance in understanding the intent of section 32. (~~LIMITED OFFICIAL USE~~)

Late July 1974: Embassy Political Counselor approaches Amb. Resende, Chief of the Foreign Ministry's Americas Department, and reviews with him the Weissmann demarche to SUBIN. Resende expresses appreciation and interest, and requests a copy of section 32, which is provided. (~~LIMITED OFFICIAL USE~~)

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July 24, 1975: In course of AID Director Weissman's farewell call on Aderbal Costa, Secretary of SUBIN, Weissman (accompanied by then Deputy Director Gelabert) refers to discussions held the previous year (7/15/74) regarding U.S. concern with human rights, and outlines current Foreign Assistance Act provisions, again stressing the importance of human rights issue to the overall climate for foreign assistance. Costa is given copies of Sections 901 (right to emigrate), 32 (political prisoners), and 502(B) (human rights), of FAA. (~~LIMITED OFFICIAL USE~~)

August 13, 1975: Acting Political Counselor meets with Minister Paulo Frassinetti, Chief of North and Central America Division of Foreign Ministry, and reviews the growing interest of the U.S. in the issue of human rights. Counselor refers to recent action with regard to Chile and to previous discussions on human rights between Foreign Ministry officials and the U.S. Ambassador and other Embassy officers; he adds that in declarations regarding our concern for human rights, USG officials are aware that the international aspects of the issue are complicated, but that our concern is based on conviction, and we deplore violations wherever they occur. Frassinetti expresses his awareness of U.S. concern. Counselor goes on to raise specific cases of Stuart Angel Jones and Kucinski (See Section II). (Brasilia 7067, 8/13/76) (~~CONFIDENTIAL~~)

Late May-Early June 1976: Political Counselor calls on Ambassador Carlos Duarte, Chief, American Organizations Department, Foreign Ministry,

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and requests that at the OAS General Assembly meeting in Santiago in June 1976, GOB support adoption of a resolution endorsing the report on Chile of the Inter-American Human Rights Commission and extending its mandate to continue monitoring human rights situation in Chile. Counselor stresses that IAHRC is a reputable body noted for its diligence and professionalism. Duarte replies that adoption of resolution will represent condemnation of Chile, and states it will be "very difficult" for Brazil to support it. (Brazil abstains on resolution, but Foreign Minister later expresses to U.S. Ambassador his displeasure that Brazilian delegation did not support it.) (Brasilia 4869, 6/2/76) ~~(SECRET)~~

October 15, 1976: Embassy Political Counselor presents U.S. position on human rights to Ambassador Araujo, Chief of Foreign Ministry's Americas Department, and delivers text of sections of AECA pertaining to discrimination and human rights. ~~(CONFIDENTIAL)~~

October 22, 1976: Political Counselor discusses police support assistance by U.S. with Sao Paulo Federal Police delegate Jolberto Siqueira. He explains that U.S. insists that donated equipment be used by the police exclusively for narcotics enforcement because the U.S. Government and Congress could not agree with the use of such equipment for practices that may not be compatible with the U.S. philosophy of human rights, such as censorship or investigations of certain types of "political and social" crimes. ~~(CONFIDENTIAL)~~

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December 1, 1976: Political Counselor, during call on Prosecutor-General of the Supreme Military Tribunal, points out strong U.S. support for human rights principles contained in Universal Declaration of Human Rights, and notes that doctrine of "presumption of innocence" contained in Declaration should properly be applied in all cases, including serious national security cases.

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Contacts by DAO

The subject of human rights arises on occasion in conversations between members of the Office of the Defense Attaché and Brazilian military contacts. In such discussions DAO officers have expressed the concern of both the USG and of Americans in general for observance of human rights and fair treatment under the law. Those Brazilian officers to whom these views have been expressed during the past year include (but are not limited to) the following:

Ten. Brig. Deoclécio Lima de Siqueira, Chief of Staff, Brazilian Air Force.

Gen. Mario de Mello Mattos, Army Representative, Armed Forces General Staff (EMFA).

Gen. Euclides Figueiredo, Commanding General, 8th Military Region (Belem).

Gen. Paulo Miranda Leal, 4th Sub-Chief, Army General Staff.

Gen. Sebastiao Castro, Chief, Central Agency, National Intelligence Service (SNI).

Col. Celso Vinicius Pinto, Commander, Canoas AFB, ex-Chief of Intelligence, Air Force General Staff.

Col. Agnello Brito, Chief of Cabinet, Army General Staff.

Col. Everaldo Reis, Assistant Vice Chief, Army General Staff.

Col. Floriano Chagas, Chief, E-2, Army General Staff.

Col. Jose Lopes Teixeira, Chief, E-7, Army General Staff.

Col. Luiz Duque, Assistant to 4th Sub-Chief, Army General Staff.

Contacts by AID

Over the years, AID representatives have raised the human rights issue with various official contacts in the public and private sector, often in the context of the future of the AID program in Brazil.

These talks were chiefly with key officials in the implementation of AID loans in the fields of education, agriculture, and electric power development. Aside from officers of SUBIN (cited in the chronological list of contacts), these contacts have included the Sub-Secretary General of the Ministry of Education and Culture (MEC); the Coordinator of MEC'S Expansion and Development Program for Secondary Education (PREMEN); the Director of the Brazilian Agricultural Research Enterprise (under the Ministry of Agriculture); and the Director of the State Electric Power Company (CEEE) of Rio Grande do Sul.

Contacts by Legal Attaché

The subject of human rights arises frequently in conversations between the Embassy Legal Attaché and his contacts among Brazilian state and federal police forces. In such situations, the Legal Attaché has made known the concern of U.S. Government authorities to improve the observance of human rights both within and outside the U.S. He has stressed that this policy is earnest, non-partisan, and in all likelihood will continue to be emphasized in future international relations with all countries maintaining relations with the U.S. Higher ranking officials with whom the Legal Attaché has discussed this matter during the past twelve months include (but are not limited to) the following:

Dr. Alceu Andrade Rocha, Central Coordinator (National Deputy Director), Brazilian Federal Police (DPF).

Dr. Bernardino Bochi, Director of the DPF Intelligence Center.

Commander Clemente Monteiro Filho, Director, National Police Academy.

Dr. Tiburcio de Oliveira Neto, Director, National Identification Institute.

Dr. Dante Nardelli, Chief, Brazilian Service, Interpol.

Dr. Luiz Clovis Anconi, Director, DPF Maritime, Air, and Border Police.

Col. Plinio Batista, National Intelligence Service (SNI).

Dr. João Carlos de Carli, Special Assistant, Ministry of Justice.

Other Federal Authorities

The Regional Superintendents of the Brazilian Federal Police for the states of Minas Gerais, Goias, Espirito Santo, and Rio Grande do Sul.

The Police Coordinators (Deputy Directors) of the Brazilian Federal Police in the states of Rio de Janeiro and São Paulo.

State Officials

Col. Antonio Erasmo Dias, State Secretary for Public Security for the State of São Paulo.

Dr. Jose Nicanor de Almeida, Director-General, State Secretariat of Public Security for the State of Rio de Janeiro.

Dr. Domingos Fernandes de Souza, Superintendent (Director), Civil Police, State Secretariat of Public Security for the State of Rio Grande do Sul.

Contacts by the U.S. Consul in Recife

The new administration and/or U.S.-Brazil relations were frequent topics of conversation last Fall during calls by the new U.S. Consul in Recife upon local public officials. On these occasions, the Consul pointed out that it would be unrealistic to believe that American concern about human rights is campaign rhetoric that will disappear when the new Administration takes office in January. He stressed the United States' traditional concern with human rights and expressed the expectation that human rights will be given even greater attention in the immediate future. With respect to Brazil, new cases of torture, detention without fair trial, and censorship would likely be widely and unfavorably publicized. The Consul communicated these views to the following:

Moura Cavalcanti, Governor of the State of Pernambuco (September 14, 1976).

Ivan Bichara, Governor of the State of Paraiba (September 16, 1976).

Gen. Argus Lima, Commander of IV Army (September 17, 1976).

Col. Ney Meziat, Chief of Intelligence, IV Army (September 20, 1976).

Carlos Veras, President of the Pernambuco Legislative Assembly (September 27, 1976).

Otilio Neiva Coelho, President of the Pernambuco State Supreme Court (September 29, 1976).

Tarcisio Maia, Governor of the State of Rio Grande do Norte (November 22, 1976).

Rear Admiral Ricari da Costa, Commander of the III Naval District (November 22, 1976).

Anselmo Pegado Cortez, President of the Rio Grande do Norte State Supreme Court (November 23, 1976).

Adauto Bezerra, Governor of the State of Ceara (December 6, 1976).

Djalma Veloso, Vice Governor of the State of Piaui (December 9, 1976).

Edgar Nogueira, President of the Piaui State Supreme Court (December 9, 1976).

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II. Representations and Inquiries by Embassy  
in Specific Human Rights Cases

In a number of instances, the Embassy has made representations or inquiries on behalf of non-U.S. citizens (or persons whose U.S. citizenship was doubted), who were known or commonly believed to have been apprehended and possibly mistreated by Brazilian security authorities.

With the exception of the Kucinski and Gunter cases, a common thread is a family relationship between the person detained and an American citizen. Thus, Embassy initiatives were, in part, based upon an expanded definition of the consular protective function. Mention has been omitted of those cases where the Mission's role was primarily consular.

However, in the Kucinski and Silva, Gunter, Wright, and Jones cases, Embassy actions in large measure represented and, we believe, were perceived as manifestations of a human rights policy having universal application. Contributing to this impression was the presence in each case of at least two and normally all of the following three elements:

- 1) non-U.S. citizenship or questionable U.S. citizenship of the party involved,
- 2) address of the question outside consular channels by high level Embassy political officers to counterparts in the Foreign Ministry,
- 3) explicit discussion of the question in the context of generalized U.S. concern for human rights. Individual case descriptions and chronologies follow.

Finally, reference is made to the case of American citizen Frederick Morris, which though essentially a consular protective matter, had significant human rights implications.

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A. Paulo Stuart Wright

Paulo Stuart Wright disappeared in early September 1973. Although Brazilian authorities have never publicly or privately acknowledged his detention and have denied knowledge of his whereabouts, circumstantial evidence suggests that he was arrested by Brazilian security forces. The case generated considerable interest in Congress, and the press. Wright was born of American missionary parents in Brazil, and at one time held an American passport. Subsequently, he was elected a state deputy in Santa Catarina and took an oath of office; although the question of citizenship has never been resolved, the Department position during most of the period of USG involvement was that Wright had probably expatriated himself. In discussing the question with Brazilian authorities, Embassy officers raised the possibility of dual citizenship, but basically predicated their inquiries on the interest in Wright's welfare demonstrated by relatives in the United States.

Following the Revolution in 1964, Wright's mandate as state deputy was cassated. He subsequently went underground and became involved with the clandestine student movement known as Acao Popular. The government deemed the group subversive, and Wright's rise to the national leadership of it brought him near the top of the GOB's wanted list.

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December 11, 1973: Embassy Political Counselor calls on Marcos Cortes, Special Assistant to the Foreign Minister for Security Affairs, to inquire concerning the welfare and whereabouts of Wright. Cortes indicates he will investigate the matter and communicate his findings

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to the Embassy. (Brasilia 8425 12/11/73) ~~(CONFIDENTIAL)~~

December 19, 1973: In follow up meeting, Cortes indicates that a check of all possible security authorities revealed that none had Wright in custody or knew of his whereabouts. Cortes also indicates that as far as Brazilian law is concerned, Wright is a Brazilian, commenting that "you can intervene on him as much as you could on Joao da Silva, Brazilian citizen." (Brasilia 8648 12/20/73) ~~(CONFIDENTIAL)~~

March 5, 1974: Political Counselor calls on Cortes to reiterate Embassy's previous demarche regarding Wright and to ask that another inquiry be made to Brazilian security agencies. Counselor points out that interest in Washington regarding case is still high and increasing. Cortes states that his previous inquiry had been made at the highest levels of various agencies and that the response had been negative. (Brasilia 1538 3/5/74) ~~(CONFIDENTIAL)~~

April 4, 1974: Cortes calls Political Counselor to say that his renewed inquiry at our request is "again negative. Nobody knows about him at all levels." Cortes indicates he is being transferred shortly but will brief his successor on the case and that, if necessary, Embassy can continue any further contact on the subject with the same office. ~~(CONFIDENTIAL)~~

April 25, 1974: In context of a general discussion of human rights in Brasilia with the Brazilian Ambassador to Washington, Araujo Castro, Ambassador Crimmins raises the Kucinski case, and also mentions the continuing interest of the USG in the Paulo Stuart Wright case,

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with which Araujo Castro demonstrates familiarity. (For fuller details of meeting, see Kucinski chronology). (Brasilia 7073 8/14/74 ~~CONFIDENTIAL~~ XGDS-1)

May 28, 1974: Ambassador Crimmins discusses the Kucinski and Wright cases with the Acting Foreign Minister, Ambassador Guerreiro, Secretary General of the Foreign Ministry. He notes our earlier approaches to the Foreign Ministry regarding Wright, and asks that we be furnished information on the Wright and Kucinski cases. Guerreiro replies that he will do what he can, but that it will be "delicate and difficult." (For fuller details of meeting, see Kucinski chronology). (Brasilia 7073 8/14/74) ~~(CONFIDENTIAL)~~

June 27, 1974: Embassy officer calls on the new Special Assistant to the Foreign Minister for Security Affairs, and asks for a new inquiry of Brazilian security agencies on the possible fate of Wright. Demarche in part reflects Embassy desire to test Brazilian security system which has undergone some personnel changes since the inauguration of the Geisel government on March 15, 1974. Assistant indicates that he has discussed the case with the Foreign Minister, and has initiated what he describes as a "thorough search of all Brazilian security agencies." He assures Embassy officer that he will continue efforts and will communicate with us as soon as he has a definitive response. (Brasilia 4726 6/27/74) ~~(CONFIDENTIAL)~~

August 23, 1974: O Estado de Sao Paulo carries article reporting that Wright, along with 13 others, has been sentenced in absentia on

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charges of subversive activities connected with their membership in Acao Popular. Political Counselor uses the article as an opportunity to contact the Foreign Minister's Special Assistant for Security Affairs, to inquire about the report and Wright's whereabouts. Assistant replies that "after profound and intensive investigation" of Brazilian security agencies, he can state with "absolute certainty" that Wright was never detained by Brazilian authorities, adding that the whereabouts of Wright are "totally unknown." It is his impression "with all appropriate caveats since I could be mistaken and it is only a suspicion," that Wright "must have gone underground." (Brasilia 6442 8/23/74) ~~(CONFIDENTIAL)~~

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B. Ana Rose Kucinski Silva; Wilson Silva

Ana Rosa Kucinski Silva and her husband Wilson Silva, both Brazilian citizens, disappeared in April 1974. A common assumption exists in the press and among human rights activists that the couple were arrested April 22, 1974, by Brazilian security forces in Sao Paulo, on suspicion of subversion and membership in the Brazilian Communist Party. The Brazilian Government, to include the Minister of Justice in a statement released February 6, 1975, consistently maintained that the Silvas were not under detention and that the government had no knowledge as to their whereabouts.

April 25, 1974: In the context of a general discussion of the interest of the U.S. in human rights cases with Brazilian Ambassador to Washington, Araujo Castro, Ambassador Crimmins raises the Kucinski case, rehearsing the outlines of the case and stating that it is a matter of considerable importance to sectors of U.S. public and Congressional opinion and to the U.S. Government. Araujo Castro states that he is very much aware of the case, having received inquiries about it in the U.S. When Ambassador Crimmins indicates that he will be raising the matter with the Foreign Ministry, Araujo Castro comments that he does not know what the Ministry can do in light of the established GOB position on the case. The Ambassador also mentions the continuing interest of the USG in the Paulo Stuart Wright case, with which Araujo Castro also demonstrates familiarity. (Brasilia 7073 8/14/74). (~~CONFIDENTIAL~~ XGDS-1)

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May 28, 1974: Ambassador Crimmins discusses Kucinski and Wright cases with the Acting Foreign Minister, Ambassador Guerreiro, Secretary General of the Foreign Ministry. Ambassador reviews the basis of our interest in the two cases and notes that we have made a series of approaches to the Foreign Ministry concerning Paulo Stuart Wright, but that the Kucinski case, which is being raised for the first time, involves a Brazilian citizen whose situation and condition are nevertheless of concern and interest to us and to religious, intellectual, and Congressional circles. Ambassador Crimmins asks that we be furnished information on the two cases. Guerreiro replies that he will do what he can, but that it will be "delicate and difficult." (Brasilia 7073 8/14/74) (~~CONFIDENTIAL~~)

August 13, 1975: Acting Political Counselor meets with Chief of North and Central America Division of Foreign Ministry, to review U.S. concern with human rights issue and to raise the case of Stuart Angel Jones. In this context, a request is also made for information on the Kucinski case. (See chronology of Jones case for additional details on meeting.) (Brasilia 7067 8/13/76) (~~CONFIDENTIAL~~)

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C. Stuart Angel Jones

Stuart Angel Jones, a 26-year old Brazilian, disappeared while living in Rio in May 1971. Jones was the son of an American citizen Norman Angel Jones and of a well-known Brazilian fashion designer, Zuzu Angel. The parents were separated and both were living in Brazil at the time; other relatives resided in the U.S. Although his family denied that Jones was ever involved in "subversive" activity, the GOB alleged his active membership in the Popular Revolutionary Vanguard (VPR), a revolutionary terrorist organization. Heleno Fragoso, a leading human rights lawyer who was involved in presenting Jones' case before the Brazilian Human Rights Commission, characterized Jones as having a long record of involvement in politics, including bank assaults, and described him as an intelligent but fanatical leftist. (CONFIDENTIAL)

Shortly after Jones' disappearance, the American Consul in Rio de Janeiro inquired of police in his regard, responding to two telegrams sent May 25, 1971 by an aunt and uncle of Jones in the U.S.; the relatives indicated they had received news of Jones' arrest and requested confirmation of his whereabouts. Local police indicated that their records showed that one Stuart Edgar Angel Gomes had recently been arrested, but had escaped. The Consul replied to Jones' relatives in this vein, and Mission involvement in the case terminated for the time being. During the next several years, Zuzu Angel made numerous efforts to determine her son's fate. The consistent Brazilian position was that Jones had never been detained and that his whereabouts were unknown to Brazilian authorities. However, a number of Brazilian sources, including one reputed eyewitness who was and remains imprisoned

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on charges of subversion, maintained that Jones had been arrested and severely tortured by air force security forces at Galeao Air Base.

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Having failed in her efforts in Brazil, Zuzu Angel, though convinced of her son's death under torture, turned to the U.S. for assistance in 1975. Ms. Angel, American relatives of Jones, and Amnesty International, which had maintained a continuing interest in the case, stimulated concern on the part of a number of members of Congress; and Ms. Angel herself met with Department officers, indicating that her interest was in obtaining formal confirmation of her son's death, return of his body, if possible, and punishment of his torturers.

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August 13, 1975: Acting Political Counselor meets with Minister Paulo Frassinetti, Chief of North and Central America Division of Foreign Ministry, and reviews the growing interest of the U.S. in the issue of human rights. Counselor goes on to say within this context, that a specific case has recently arisen, that of Stuart Angel Jones. Frassinetti states that information available to the Foreign Ministry so far indicates that Jones has not been in custody, but that he will check with "the authorities" for information on the matter, and will be in touch with us. Counselor also requests information regarding the Kucinski case. (Brasilia 7067 8/13/76) ~~(CONFIDENTIAL)~~

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December 2, 1976: Political Counselor meets with Colonel Ruy Lima Pessoa, Prosecutor-General, Supreme Military Tribunal, to state that he understands from several sources that Government intends to indict presumed murderers of Stuart Angel Jones, who are believed to be military men. The Political Counselor points out that there is still a great interest in the U.S. in the Jones case and that vigorous prosecution of those responsible would have a positive effect. Col. Lima Pessoa states he is unaware of the status of the case but will find out. ~~(CONFIDENTIAL)~~

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D. Rolf Gunter

September 19, 1973: At Brazilian invitation, DEA representative Richard Rock interrogates detained drug trafficking suspect Rolf Gunter, a non-U.S. citizen, in Rio de Janeiro. When federal police officer proceeds to interrogate Gunter, applying electric shocks, Rock remonstrates with officer and receives assurances that accused will receive no further mistreatment.

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September 21, 1973: Political Counselor, accompanied by DEA representative Rock, calls on Hilton Brandao, Central Coordinator (deputy director), Brazilian Federal Police (DPF), to recite incident and express Embassy's grave concern with such an occurrence. Brandao appears genuinely outraged, expresses gratitude for information, indicates torture contrary to DPF policy and training, and indicates he will make certain that officer involved is removed and that any such practices are ended. (~~CONFIDENTIAL~~)

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E. Frederick Morris

Special mention should be made of the case of American citizen Frederick Morris; although essentially a consular protective matter, the case had significant human rights implications.

U.S. officials at the Consulate in Recife and the Embassy in Brasilia made vigorous representations on behalf of the Reverend Morris, who was arrested in Recife on September 30, 1974, and subjected to torture by intelligence officers of the Brazilian IV Army during questioning about his alleged subversive activities.

Embassy actions culminated in an interview on October 4, 1974, between the Brazilian Foreign Minister and the U.S. Ambassador, who delivered a strongly worded formal note protesting the mistreatment of Morris and calling for a specified series of remedial actions. Morris was released and expelled from the country shortly thereafter.

In legal terms, the case represented an exercise of the consular protective function on behalf of a detained U.S. national. However, USG actions, including the note of protest, received wide local publicity and, though obviously highly unpopular in official circles, were seen as indicative of the seriousness and depth of the general U.S. commitment to human rights, which could impel such "extraordinary" measures on behalf of a lone individual.

III. Public Statements on Human Rights

During the last twelve months, Ambassador Crimmins has delivered two major addresses in Brazil bearing on the subject of human rights.  
(UNCLASSIFIED)

In the first address, delivered December 3, 1975, at the Brazil-U.S. Cultural Union in São Paulo, the Ambassador discussed the content and historical evolution of the Constitution, the Declaration of Independence, and the Bill of Rights, as three documents central to American political ideals, particularly as regards the political and human rights of the individual. (UNCLASSIFIED)

On November 23, 1976, in an address to the Minas Gerais State Legislative Assembly in Belo Horizonte, the Ambassador analyzed those concepts and ideals central to American political life and thought, with particular emphasis on the political and human rights of the individual. (UNCLASSIFIED)

As expected, both speeches drew considerable press attention. Commentators cited the consistency of the U.S. concern for the rights of the individual, and often went on to suggest that there was food for thought for Brazilians in all of this. Some of the initial coverage of the November speech even neglected to mention that the Ambassador was speaking about the record of the U.S. in the human rights sphere and raised the question whether it was proper for a foreign diplomat to lecture Brazil on the subject. It is thus clear that the Ambassador's Brazilian audiences reacted subjectively to his message on human rights.

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#### IV. Liaison with Human Rights Activists and Organizations

Officers of the Embassy and of the constituent posts have maintained regular contact with individual Brazilians prominent in the campaign for improved observance of human rights as well as with the leadership of important non-governmental organizations in the field. The Embassy considers that, quite apart from their value in producing information on human rights cases, such contacts are a useful way of expressing U.S. concern and support for these organizations and individuals and their work, and of identifying the U.S. with the goals they seek. Moreover, the knowledge that they have communication with the USG through its representatives, communication which could help to protect them against arbitrary arrest or disappearance as a result of their human rights activities, presumably offers a measure of reassurance to such individuals. Finally, we believe that the significance of these interviews is also clear to Brazilian authorities, since it is probable that a number of the organizations and individuals contacted are surveilled by Brazilian security forces fully aware of any meetings with personnel of the Embassy or its constituent posts.

The principal institutions advocating improved observance of human rights with which the Embassy maintains close contact are as follows:

1. The Brazilian Bar Association (OAB)
2. The Brazilian Press Association (ABI)
3. The National Council of Brazilian Bishops (CNBB)
4. The Commission of Justice and Peace of the São Paulo Archdiocese

## 5. Brazilian Center of Analysis and Planning (CEBRAP).

The Embassy and Consulates have also maintained contact with the following nationally known individual human rights advocates:

1. Dom Helder Camara, Archbishop of Recife and Olinda.
2. Cardinal Paulo Evaristo Arns, Archbishop of São Paulo.
3. Cardinal Eugenio Sales, Archbishop of Rio de Janeiro.
4. Dom Ivo Lorscheiter, Secretary-General, CNBB.
5. Padre Virgilio Leite Uchoa, Vice Secretary General, CNBB.
6. Caio Mario Pereira, President of the OAB and prominent human rights lawyer.
7. Héleno Fragoso, leading authority on legal aspects of human rights and frequent attorney for defendants in national security proceedings; member of the national council of the OAB.
8. Hélio Pereira Bicudo, government prosecuting attorney prominent for his aborted investigation of death squad activities and author of a recent, well-publicized book on the same subject.
9. Professor Dalmo A. Dallari, well known legal scholar and author and former President of the São Paulo Archdiocesan Commission of Justice and Peace.
10. Senator Andre Franco Montoro, leader of the opposition (MDB) in the Senate and a frequent speaker and writer on human rights themes.
11. Senator Paulo Brossard, an MDB legislator who frequently delivers speeches in the Senate on human rights abuses.
12. Senator Teotonio Vilela, an independent-minded member of the government party (ARENA), who is a frequent speaker on human rights themes.

13. Alencar Furtado, Vice Minority Leader of the MDB in the Chamber of Deputies and a strong human rights advocate.
14. Airton Soares, MDB Federal Deputy and a lawyer, whose firm has been active in human rights cases.
15. Dr. Eliezer Burla, President, Rio de Janeiro Jewish Federation, who follows human rights cases involving persons of the Jewish faith.

Other, less prominent, human rights activists with whom contact is maintained, are as follows:

1. Margarita Genevois, Secretary of the São Paulo Archdiocesan Commission of Justice and Peace.
2. Thereza Zerbine, leader of the Woman's Movement for the Amnesty of Political Prisoners.
3. Mario Carvalho de Jesus, leader of the National Labor Front, a Church related workers rights organization, which has also defended political prisoners.
4. Adalio Dantas, President of the São Paulo Journalist Union and an activist in human rights issues, particularly those pertaining to the press.

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V. Provision of Information in Human Rights Cases

The Embassy has received a number of inquiries regarding Brazilian citizens known or believed to have been arrested on charges of subversion (normally under the National Security Law). These inquiries originate primarily from members of Congress, communicating directly or through the Department of State, and from members or officers of Amnesty International. The Embassy has tried to be fully responsive to such queries, providing as much information as can be obtained from open source files, devoting considerable man-hours to the collection of such files, and frequently making specific inquiries of human rights activists and organizations as the basis for response to inquiries.

Embassy files indicate more than twenty such instances since January 1973. An itemized listing follows; while we believe it to be reasonably complete, it is not necessarily exhaustive.

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January 3, 1973: Embassy replies to letter from Prof. Alice Ettinger and Prof. Samuel Proger, Boston, Mass., requesting information on Dr. Antonio Ulhoa Cintra, former Sao Paulo state secretary of education, arrested 1972 on subversion charges. (UNCLASSIFIED)

August 27, 1973: Embassy replies to 6/1/73 letter (delayed in mails) from Amnesty International member Miss Birgit Bugiel, Bremen, FRG, requesting information regarding Wlacyra Maria Wagner, arrested 3/26/73 on subversion charges in Rio. (UNCLASSIFIED)

October 31, 1973: Embassy in Brasilia 8241 (LOU) responds to Department inquiry generated by Sen. Cranston, regarding Bento Ventura de Moura. Efforts to develop information on case unavailing.

July 25, 1974: Embassy replies to 7/14/74 letter from Miss Christina Ransohoff, Westport, Conn., regarding Waldemar Rossi, allegedly arrested on subversion charges. Reply indicates no information available. (UNCLASSIFIED)

September 12, 1974: Embassy responds by telegram through State Department to inquiry from Jacques Torczyner, Chairman, American Section, World Jewish Congress, regarding Ana Rosa Kucinski. (Brasilia 6984) (LOU)

February 28, 1975: With input from Recife, Embassy in Brasilia 1543 (LOU) responds to Department request for information on Alanir Cardoso, AKA Luis Soares de Lima, arrested at same time as Fred Morris. Inquiry generated by Sen. Carl Curtis.

March 18, 1975: Embassy replies to 1/23/75 inquiry from Mr. and Mrs. A. L. McDonald, Seattle, Washington, regarding Alanir Cardoso.

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The McDonalds are members of United Methodist Church which sponsored missionary work of Fred Morris. (UNCLASSIFIED)

July 14, 1975: Embassy replies to 6/27/75 letter from Ms. Deda M. Traulsen, Fullerton, California, requesting data on Jose Cunha, medical student allegedly arrested in Recife two years earlier.

Despite efforts by Amconsul Recife to develop information, no data available. (UNCLASSIFIED)

July 21, 1975: In Brasilia 5984 (LOU), Embassy responds to Department inquiry generated by Congressman Fraser, regarding Gentil Neves Correia, ex-president of a Sao Paulo labor union, reportedly arrested in early 1975. Data obtained from ConGen Sao Paulo files.

August 25, 1975: In Sao Paulo 1773 (LOU), ConGen replies to Department inquiry generated by Sen. Kennedy, regarding Dr. Branco Lefevre, allegedly arrested 3/75. Sao Paulo makes private inquiries, and finds Dr. Lefevre was released.

November 5, 1975: Embassy replies to letter of 10/7/75 from William van B. Robertson, Stanford, California, requesting information on whereabouts of Ana Rosa Kucinski Silva. (UNCLASSIFIED)

November 6, 1975: Embassy replies to letter of 10/7/75 from Henry Taube, Stanford, California, requesting information on Ana Rosa Kucinski and Wilson Silva. (UNCLASSIFIED)

December 3, 1975: Embassy replies to letter of 9/25/75 from Amnesty International member Roslyn Gilbert, Palo Alto, California, inquiring as regards Ana Rosa Kucinski and Wilson Silva. (UNCLASSIFIED)

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December 5, 1975: Embassy replies to 11/6/75 letter from Amnesty

International member Armand D'Angour, Windsor, England, regarding Sergio Santana, MDB city councilman arrested in Recife in July, 1975 on subversion charges. (UNCLASSIFIED)

January 9, 1976: AmConGen Rio de Janeiro responds telegraphically

(Rio 0098 - LOU) to Department request for information on Chico Buarque de Hollanda, feared arrested by Brazilian security forces.

Inquiry prompted by request from Sen. Kennedy's office.

April 20, 1976: Embassy replies to 3/20/76 letter from Amnesty International

member Armand D'Angour, London, seeking information regarding Sergio Santana, charged under National Security Law.

Response draws on input from Salvador, which makes private inquiries. (UNCLASSIFIED)

April 30, 1976: In Brasilia A-25, dated 4/30/76, Embassy responds to

Department request (A-462 of 1/28/76) for information on list of detained legal professionals prepared by Amnesty International.

Response based on Embassy files, with input from ConGens Rio and Sao Paulo based on contacts with human rights sources.

June, 1976: Sao Paulo makes private inquiries as basis for Embassy response to Department inquiry (generated by Sen. Cranston) for information on Ivan Axelrod Sexias, allegedly held in insane asylum for political reasons.

June 8, 1976: Embassy replies to inquiry from Amnesty International

member Elaine Steinmann, Bitburg, FRG, for information on Jose

Oto de Oliveira, reportedly arrested on subversion charges. Rio provides input based on private inquiries, including contact with

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a Rio State Deputy.

August 24, 1976: Embassy replies to 7/24/76 letter from Elaine Steinmann, making further inquiry as regards Jose Oto de Oliveira. (UNCLASSIFIED)

September 20, 1976: Embassy replies to 8/11/76 letter from George Laine, Amnesty International member, Long Beach, California, requesting information on Sergio Gomes da Silva, arrested and subsequently acquitted (as we learn) on subversion charges. (UNCLASSIFIED)

October 19, 1976: Embassy follows up its first reply to George Laine with further information on Sergio Gomes da Silva based on Rio contact. (UNCLASSIFIED)

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VI. Information/Exchange Programs

Information and visitor exchange programs administered by the United States Information Service (USIS) in Brazil have dealt with the subject of human rights on a number of occasions.

A. American Specialist Program

American speakers, primarily university professors, are brought to Brazil on USIS grants under the American Specialist Program.

Participants are selected on the basis of consultations among the Department, USIA, and the Post, and have included several speakers on themes related to human rights.

1. Karl Deutsch, Harvard University political scientist, visited Brazil on September 15-18, 1976. In lectures and question and answer sessions before students at the Getulio Vargas Foundation, the Superior War College, and the Candido Mendes Research Institute in Rio de Janeiro, Professor Deutsch addressed the subjects of political stability, continuity, and nationalism, and outlined the longer term dangers of institutionalized political oppression, including torture and imprisonment without due process.

2. Richard Gardner, Columbia University Professor of International Law, visited Brazil on March 7-29, 1976. In private conversations and question and answer sessions at the Getulio Vargas and University of São Paulo Law Schools in São Paulo, the Superior War College in Rio, and the Foreign Ministry, the Rio Branco Institute (the Foreign Ministry's diplomatic school) and Chamber of Deputies Foreign Relations Committee in Brasilia, Professor Gardner noted the effect on U.S. public and Congressional opinion of the Brazilian image on human rights issues.

3. Louis Pollak, University of Pennsylvania Professor of Human Relations and Law, visited Brazil on June 9-22, 1975. In conversations with working Brazilian journalists, media executives, state-level politicians and officials, members of the federal legislative reference service, advisers to the Brazilian Senate and Chamber of Deputies, and the President of the Supreme Court, Professor Pollak stressed his personal absolute respect for human rights, personal privacy, and individual freedom, and emphasized the strong support given these values by the American constitution and legal system.

#### B. International Visitor Program

The International Visitor Program, funded by State/CU and administered abroad by USIA, promotes a better understanding of American life and customs and a mutual interchange of ideas through invitations to foreign leaders to visit the United States. The following Brazilian human rights activists have received IV grants:

1. Father Virgilio Leite Uchoa, Vice Secretary General of the National Conference of Brazilian Bishops (CNBB), one of the leading Brazilian institutions active in defense of human rights, visited the United States on July 28-August 27, 1976. One of the primary objectives of the tour was to provide Father Uchoa with a better comprehension of American interest and concern regarding human rights. Among others, Father Uchoa met with the staff assistant to Senator Kennedy concerned with human rights questions; with George Lister, special assistant for human rights matters to the Assistant Secretary of State for Latin America; and with several university professors and officials of organizations concerned with human rights. Uchoa

said he was pleased to see so many organizations involved with questions of peace, justice, and human rights (although he voiced some criticism of the USG's international policies as they relate to human rights issues).

2. Dalmo de Abreu Dallari, a leading scholar and columnist on the legal aspects of human rights issues and a former head of the São Paulo Archdiocese Justice and Peace Commission, attended the Seventh World Law Conference in Washington on October 12-17, 1975. Professor Dallari reported that the conference gave him an opportunity to reassess the fundamental legal and human rights problems from a universal standpoint, and pointed out that for "obvious reasons," he would like to see future conferences pay more attention to international legal problems and human rights in Latin America.

#### C. Distribution of U.S. Policy Statements on Human Rights

USIS has distributed to high level audiences copies of several major statements on human rights by important USG officials:

1. Ambassador Scranton's UN speech. Copies of UN Ambassador Scranton's speech of November 26, 1976, entitled "The UN Effort on Human Rights, A Deep Disappointment," were distributed to 350 major USIS contacts.

2. Secretary Kissinger's OASGA speech. A Portuguese translation of the Secretary's June 1976 human rights address to the OAS General Assembly in Santiago was distributed to a blue ribbon audience of 4,000 top GOB leaders, federal and state lawmakers, media representatives, and others.

3. Assistant Secretary Rogers' speech. Copies of Secretary Rogers' November 1975 address on human rights and U.S. policy for

Latin America were distributed to the international editors of all major Brazilian newspapers.

D. Press Placement of Articles on Human Rights

In the course of its program to place material in the Brazilian press, USIS attempts to include statements and articles bearing on human rights issues. While it is obviously difficult to place materials on this topic in a country where limited censorship prevails, USIS has succeeded on a number of occasions. A partial list of examples for 1976 follows:

<u>Article</u>	<u>Newspaper</u>	<u>Date</u>
William Rogers' remarks on human rights and U.S. policy in Latin America	<u>A Tarde</u> , <u>Folha de Sao Paulo</u> , <u>Diario da Manha</u>	Feb. 1976
Secretary Kissinger's testimony before the House Foreign Affairs Committee on his Latin American tour	<u>O Estado de São Paulo</u> , <u>Jornal da Tarde</u>	March 1976
Article by Chief Justice Warren Berger outlining individual protections afforded Americans.	<u>Ultima Hora</u>	April 1976

U.S. position on human  
rights in the UN Commission  
on Human Rights

Correio do Povo,  
Jornal do Commercio

May 1976

Secretary Kissinger's  
Santiago human rights  
speech to the OASGA (full  
text)

A Tarde

June 1976

"Report for Human Rights,  
Integral Part of U.S.  
Foreign Policy" by Nick  
Harrison (IPS)

Diario da Manha

Dec. 1976

Ambassador Scranton's  
UN address on human rights

Diario da Manha

Dec. 1976

In addition, the American Consul in Porto Alegre regularly provides articles from the U.S. press to the Chief of Cabinet of the Governor of Rio Grande do Sul, who has indicated that he often circulates them within the state government. The majority of the articles have pertained to human rights.

E. USIS contacts

USIS maintains a standing dialogue with numerous Brazilian media representatives, in which it attempts to convey the perspectives of the USG and of American society on a number of issues, including human rights. The following is a partial list of ranking journalists with whom USIS has held substantive discussions on human rights during

1. Mino Carta, former Chief Editor of Veja, Brazil's leading weekly news magazine.
2. Jose Roberto Guzzo, current Chief Editor of Veja.
3. Oliveira Ferreira, formerly Chief Editor and now chief editorial writer of O Estado de Sao Paulo, Brazil's leading newspaper.
4. Audalio Dantas, President of the Journalists' Union.
5. Claudio Abramo, Chief Editor of Folha de São Paulo.
6. Laerte Fernandes, Assistant Chief Editor of Jornal da Tarde.
7. Clovis Rossi, Chief Editor of Jornal da Tarde.

In addition, USIS has had continuing contacts and detailed conversations on the subjects of torture, illegal detention, bombings, and terrorist threats, with academics of the Getulio Vargas Foundation and of the Brazilian Center of Analysis and Planning (CEBRAP).